

ENTERED

August 09, 2023

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISIONM.D., *et al.*,
Plaintiffs,

VS.

GREG ABBOTT, *et al.*,
Defendants.§
§
§
§
§
§
§

CIVIL ACTION NO. 2:11-CV-00084

ORDER

On June 27, 2023, a status conference was held in the above-captioned case. On June 29, the parties ordered a transcript of the status conference, to be prepared by Judicial Transcribers of Texas. (D.E. 1385; D.E. 1386.) On July 7, the transcript was filed (the “Initial Transcript”). (D.E. 1389.) The Court reviewed the Initial Transcript, found several errors, and sent a list of corrections to Judicial Transcribers. On August 1, an amended transcript was filed (the “Amended Transcript”). (D.E. 1395.)

The Court has reviewed the Amended Transcript and found that several corrections to the Initial Transcript were not implemented. Further, the Amended Transcript contains several new errors. Accordingly, it is ORDERED that the Amended Transcript is hereby corrected as follows:

- Page 6, line 19 should read: “report was primarily a DFPS report. This one is”
- Page 9, line 3 should read: “So have you looked at these 48 cases in Appendix A,”
- Page 10, line 4 should read: “This is A New Day Foundation on November 16th, 2021,”
- Page 10, line 8 should read: “Reporter said that the child hid the gun in the”
- Page 17, lines 1–2 should read: “would hit them, push them. Investigator states she asked the oldest foster child if she could demonstrate with a chair how”

- Page 19, line 3 should read: “reason to believe found for just a single outcry of a child”
- Page 19, line 23 should read: “24-hour awake night supervision.”
- Page 20, line 11 should read: “if there’s nobody awake to supervise the children. When we”
- Page 26, lines 17–19 should read: “anybody looking at this one? Anybody specific I can ask about how this got to be a Priority Three with a gun found by the child -- was there any doubt that the gun was found by the child in that closet?”
- Page 27, line 14 should read: “delays the investigations to begin with and meanwhile, all of”
- Page 28, lines 24–25 should read: “MR. YETTER: Let’s take all that out, they find it by themselves, a weapon, a gun, that presents an immediate”
- Page 30, line 18 should read: “interviewed indicated the child had engaged in self-harm”
- Page 39, lines 24–25 should read: “investigations open within the six months of moving to post-plan. Sixteen for El Paso Center for Children,”
- Page 42, line 13 should read: “Settlement Home received a high weighted citation”
- Page 51, line 8 should read: “compliance with medium high and high weighted standards and --”
- Page 58, line 10 should read: “this operation, well, one, they self-reported and began to”
- Page 72, line 8 should read: “you’re going to be publishing that on June the 9th. Now”
- Page 75, line 18 should read: “that “they’re going to publish it on June the 9th.” There was”
- Page 77, line 21 should read: “THE COURT: No, you just can’t object to things”
- Page 78, line 19 should read: “MS. CASTILLO: Which it would.”
- Page 79, line 6 should read: “THE COURT: Show him the email from Ora Chisom on”

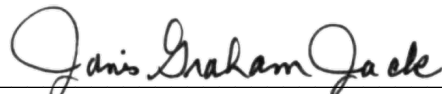
- Page 85, lines 23–24 should read: “Boys Haven of America, 85, 70 high to medium-high.”¹
- Page 86, line 24 should read: “THE COURT: (Indiscernible).”
- Page 87, line 1: “This seems to be (indiscernible).” should be removed.
- Page 87, line 4 should read: “So Lutheran Social Services have had seven”
- Page 90, line 16 should read: “operations or CPS has actually declined by 46 percent. We”
- Page 90, line 21 should read: “That has no correlation with what you’re doing now. That’s”
- Page 92, lines 4–5 should read: “UNIDENTIFIED SPEAKER: (Indiscernible) changed (indiscernible) draft.”
- Page 93, lines 11–12 should read: “that is the truth. We are in agreement with the best interest statement but the caseworker who is doing the placement for the child,”
- Page 98, line 19 should read: “as the requester’s (indiscernible). There’s not any particular indication to”
- Page 102, lines 3–6 should read: “THE COURT: Oh, God. Oh, my goodness. I can understand you’re not going to answer that, or you’re going to equivocate, and that is really sad.”
- Page 107, line 3 should read: “operations on what’s called a redundant corrective action.”
- Page 110, lines 23–24 should read: “MS. CASTILLO: (Indiscernible) it’s not heightened monitoring or child care regulation --”
- Page 121, line 11 should read: “THE COURT: Before we leave A7 and 8, I wanted to”
- Page 122, line 8 should read: “that -- specifies that awake night supervision is required.”
- Page 122, line 19 should read: “with marks on her arms and hip area broken (indiscernible) and a cover over”
- Page 123, line 5 should read: “night checks on the same night of this incident they”

¹ The word “monitoring” on line 24 should be removed.

- Page 126, line 15 should read: “RCCR, or its successor must consider referrals, confirmed”
- Page 129, line 22 should read: “THE COURT: I want to talk about what they’re”
- Page 130, line 8 should read: “THE COURT: (Indiscernible) are they on leave yet?”
- Page 130, lines 15–16 should read: “witness list. The Court then asked us to make the Commissioners available, which we have. These witnesses don’t”
- Page 134, lines 12–13 should read: “THE COURT: Had you gotten (indiscernible) cases supplied to you?”
- Page 139, lines 19–21 should read: “I’m not understanding what the problem is. What exactly -- can you tell me where the problem is, why you refuse to do this?”
- Page 146, line 17 should read: “THE COURT: The administrator.”
- Page 147, lines 21–24 should read: “MR. YETTER: I’m not -- what’s the requirement, what do you tell the administrators in writing that they have a deadline to share that information with caregivers, what’s the deadline?”
- Page 163, line 16 should read: “review and did not agree with the supervisor’s assessment of”
- Page 168, line 15 should read: “investigators who do these sloppy investigations -- and they”
- Page 177, lines 19–20 should read: “Those are homes that were closed, it took a very long time to find (indiscernible). So that’s my only comment about that.”
- Page 178, line 18 should read: “caseworkers’ offices anymore. So now they’re in hotels and”
- Page 183, line 14 should read: “their CWOP numbers are very low. So if there are any”
- Page 184, line 20 should read: “I also have the schedule of the level (indiscernible)”
- Page 193, line 20 should read: “their recommendations, but not exactly. And that’s not anything I”
- Page 197, line 7 should read: “it talks about different --”
- Page 208, line 12 should read: “that the State gave to the Monitors -- 614 different PMC”

- Page 213, line 3 should read: “or handcuffing a youth has occurred at a CWOP location. That”
- Page 218, line 9 should read: “standard that you have to provide anything they ask for. So, if”
- Page 223, line 11 should read: “caseload?”
- Page 229, line 18 should read: “A one-fourth inch contusion on the interior medial”
- Page 229, line 20 should read: “of the scarring and injury to K.A.’s body identified by the autopsy”
- Page 230, line 16 should read: “investigation of K.A.’s death included a forensic assessment --”
- Page 232, line 24 should read: “considered alternative placements for K.A. and his brother and”
- Page 234, line 24 should read: “terminations on investigations or HHSC?”
- Page 237, line 8 should read: “And then we have one for Agape Manor, CPA, that was”

SIGNED and ORDERED this 9th day of August 2023.



JANIS GRAHAM JACK
SENIOR U.S. DISTRICT JUDGE